

HB0121S01 compared with HB0121

~~deleted text~~ shows text that was in HB0121 but was deleted in HB0121S01.

inserted text shows text that was not in HB0121 but was inserted into HB0121S01.

DISCLAIMER: This document is provided to assist you in your comparison of the two bills. Sometimes this automated comparison will not be completely accurate. Therefore, you need to read the actual bill. This automatically generated document could experience abnormalities caused by: limitations of the compare program; bad input data; the timing of the compare; and other potential causes.

Representative Jennifer M. Seelig proposes the following substitute bill:

SEXUAL SOLICITATION AMENDMENTS

2011 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Jennifer M. Seelig

Senate Sponsor: _____

LONG TITLE

General Description:

This bill modifies the Criminal Code regarding the offense of sexual solicitation.

Highlighted Provisions:

This bill:

- ▶ clarifies the acts that constitute sexual solicitation with the intent to engage in prostitution.

Money Appropriated in this Bill:

None

Other Special Clauses:

None

Utah Code Sections Affected:

AMENDS:

HB0121S01 compared with HB0121

76-10-1313, as enacted by Laws of Utah 1993, Chapter 179

Be it enacted by the Legislature of the state of Utah:

Section 1. Section 76-10-1313 is amended to read:

76-10-1313. Sexual solicitation -- Penalty.

(1) A person is guilty of sexual solicitation when the person:

(a) [he] offers or agrees to commit any sexual activity with another person for a fee;

[or]

(b) [he] pays or offers or agrees to pay a fee to another person to commit any sexual activity [for a fee {}]; or

(c) ~~{as a manifestation of an}~~ with intent to engage in ~~{prostitution:~~

~~—— (i) exposes the} sexual activity for a fee or to pay another person to commit any sexual activity for a fee engages in, offers or agrees to engage in, or requests or directs another to engage in any of the following acts:~~

~~(i) exposure of a person's genitals, the female breast below the top of the areola, the buttocks, the anus, or the pubic area;~~

~~(ii) {masturbates} masturbation;~~

~~(iii) {touches the} touching of a person's genitals, the female breast, the buttocks, the anus, or the pubic area; or~~

~~(iv) {performs }any{ other} act of lewdness{; or}.~~

~~{d}2) {as a manifestation of an} An intent to engage in ~~{prostitution, the person directs another person to perform one of the following acts:~~~~

~~—— (i) expose that person's genitals, the female breast below the top of the areola, the buttocks, the anus, or the pubic area;~~

~~—— (ii) masturbate;~~

~~—— (iii) touch that person's genitals, the female breast, the buttocks, the anus, or the pubic area;~~

~~—— (iv) touch the genitals, the female breast, the buttocks, the anus, or the pubic area of the person directing that an act under this Subsection (1)(d) be performed; or~~

~~—— (v) perform any other act of lewdness.~~

~~—— (2) }sexual activity for a fee may be inferred from a person's engaging in, offering or~~

HB0121S01 compared with HB0121

agreeing to engage in, or requesting or directing another to engage in any of the acts described in Subsection (1)(c) under the totality of the existing circumstances.

~~(2)~~ (3) (a) Sexual solicitation is a class B misdemeanor [~~-. However, any~~], except under Subsection ~~(2)~~ (3)(b).

(b) Any person who is convicted a second [~~time, and on all subsequent convictions;~~] or subsequent time under this section or under a local ordinance adopted in compliance with Section 76-10-1307, is guilty of a class A misdemeanor, except as provided in Section 76-10-1309.

†

Legislative Review Note

~~as of 2-4-11 4:06 PM~~

~~Office of Legislative Research and General Counsel}~~